

1 UNITED STATES DISTRICT COURT FOR THE  
2 WESTERN DISTRICT OF PENNSYLVANIA

3 Michael Luna,

4 *Petitioner,*

5 v.

6 Erie County Court of Common  
7 Pleas, et al.,  
8 Respondents.

C.A. No. 15-250 Erie

ORDER ADOPTING THE REPORT  
AND RECOMMENDATION OF  
MAGISTRATE JUDGE BAXTER

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10 The Magistrate Judge issued a Report and Recommendation in this matter, recommending  
11 that this Court summarily dismiss this case as MOOT and that a certificate of appealability be  
12 denied. After reviewing the Report and Recommendation, the record, and all other materials  
13 before the Court and finding no objection, it is hereby ordered that:

- 14  
15 (1) The Report and Recommendation is adopted;  
16 (2) Plaintiff's Complaint shall be DISMISSED on mootness grounds;  
17 (3) A certificate of appealability will not issue; and  
18 (4) The Clerk of the Court shall send copies of this Order to Plaintiff.

19 **IT IS SO ORDERED.**

20 DATED this 2<sup>nd</sup> day of May 2016.

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24 BARBARA J. ROTHSTEIN  
25 UNITED STATES DISTRICT JUDGE